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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 JAMES A. FRY,  
12  
13 v. Plaintiff,  
14 AZTEC DOBERMAN PINSCHER  
15 CLUB OF SAN DIEGO,  
16 Defendant.

Case No. 11cv1329 BTM (DHB)

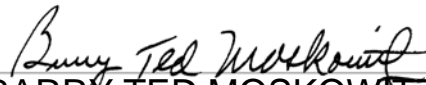
**ORDER DENYING WITHOUT  
PREJUDICE MOTION FOR  
SUMMARY JUDGMENT**

16 AND RELATED CROSS ACTION  
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19 The parties have reached a settlement of this action and are working to  
20 finalize the settlement (Doc. No. 81). In light of the pending settlement, the  
21 Court **DENIES WITHOUT PREJUDICE** Defendant's motion for summary  
22 judgment (Doc. No. 56). Defendant is free to reinstate the motion if the parties  
23 are unable to settle.

24 **IT IS SO ORDERED.**

25 DATED: August 2, 2013

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27 BARRY TED MOSKOWITZ, Chief Judge  
28 United States District Court